

### Remarks

Claim 11 stands objected to with respect to the phrase “transmitting the modified main stream from a distribution server via separate paths.” The Applicants have accordingly amended Claim 11 to recite that the original stream is an original encoded audiovisual stream and to recite that the step of generating a modified main stream having a format of the original stream and complementary information with any format comprising digital information suitable to permit reconstruction of the original encoded audiovisual stream is performed by deleting and replacing a part of the original encoded audiovisual stream, wherein the complementary information comprises the replaced part of the original encoded audiovisual stream. Support may be found in the Applicants’ Substitute Specification at paragraphs [0010] – [0012]. The Applicants respectfully submit that Claim 11 now specifies which items are transmitted via separate paths. Claim 19 has been similarly amended. Withdrawal of the objection is respectfully requested.

The Applicants acknowledge the provisional rejection of Claim 11 based on obviousness-type double patenting over copending Application 11/344,897, 11/387,284 and 11/264,953, all in view of White. The Applicants respectfully submit that, inasmuch as these are provisional rejections, they need not be addressed at this time. The Applicants accordingly respectfully request further treatment of those rejections be held in abeyance pending allowance of Claim 11 over the prior art.

Claims 11, 15, 18, 19 and 20 stand rejected under 35 USC §103 over the combination of White with Dawson. The Applicants note with appreciation the Examiner’s detailed and helpful comments hypothetically applying that combination against those claims. The Applicants nonetheless respectfully submit that, even if one skilled in the art were to make the combination, the result-

ing methodology and devices would still be quite different from the subject matter of Claims 11, 15, 18, 19 and 20. Reasons are set forth below.

Dawson discloses a method of preventing illicit copying of a video frame (1, 2 or 3 in Figs. 4A – 4C) by extracting a video signal content (405, 415, 425 in Figs. 4A – 4C) and replacing it within the video frame by a marred video content (407, 417, 427 In Figs. 4A – 4C). This operation generates two new images (see Col. 7, lines 40 – 67): a video plane (403, 413, 423 in Figs. 4A – 4C) containing the marred video content and a graphics overlay plane (401, 411, 421 in Figs. 4A – 4C). To restore the original video frame, the two planes (the video plane and the graphics overlay plane) are recombined (see steps 605 and 640 in Figs. 6A and 6B). The marred video content is represented by a solid black pattern image (see Col. 9, lines 40 – 45) and the extracted video signal is represented by a block of pixels (Col. 9, line 35) or by MPEG macro blocks (Col. 9, lines 36 – 38).

Those skilled in the art know that blocks of pixels or MPEG macro blocks have to be entropically encoded to generate encoded audiovisual content that will be distributed for consumption. The complementary information contains portions of the encoded audiovisual data. In this situation, the complementary information is different from the extracted video signal. Those skilled in the art also know that the protection step (extracting the video signal) disclosed by Dawson is different from the one recited in Claim 11. Starting from an original encoded audiovisual content, one should entropically decode the video signal to extract the video signal as Dawson teaches.

In sharp contrast, Claim 11 recites a simpler protection step by extracting directly from the encoded audiovisual stream some parts with no additional decoding step. The same point applies to reconstitution of the original audiovisual stream on the client side: Dawson teaches that reconstitution is applied after decoding the first video stream (see Fig. 6B, step 630), whereas, the extracted

data is simply put back directly into the encoded audiovisual stream. Dawson does not disclose that claimed feature.

Hypothetically combining White with Dawson fails to cure the deficiencies set forth above with respect to Dawson. In other words, White fails to disclose the same deficient features of Dawson. Therefore, hypothetically combining White with Dawson as set forth in the rejection would still result in extraction directly from the encoded audiovisual stream. Withdrawal of the rejection is accordingly respectfully requested.

Claims 12 – 14 and 16 stand rejected under 35 USC §103 over the further combination of Krajewski with White and Dawson. The Applicants respectfully submit that Krajewski fails to provide additional teachings that would cure the deficiencies set forth above with respect to White and Dawson. Therefore, that combination also fails to disclose, teach or suggest the subject matter of Claims 12 – 14 and 16. Withdrawal of the rejection is respectfully requested.

Claim 17 stands rejected over the further hypothetical combination of Farnham with White and Dawson. The Applicants respectfully submit that Farnham fails to provide additional teachings that would cure the deficiencies set forth above with respect to White and Dawson. Therefore, that combination would result in subject matter different from Claim 17. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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